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Attorneys for Defendant-Counterclaimant

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

FREE SPEECH SYSTEMS, LLC, a Texas
limited liability company,

Plaintiff,

v.

PETER MENZEL, an individual,

Defendant.

PETER MENZEL, an individual,

Counterclaimant,

v.

FREE SPEECH SYSTEMS, LLC, individually
and doing business as "InfoWars.com a Texas
limited liability company; and DOES 1-10,

Counterdefendants.

Case No.: 19-cv-00711-WHO

Hon. William H. Orrick Presiding

**UNOPPOSED REQUEST TO CONTINUE
DEADLINE TO RE-OPEN**

1 *TO THE COURT, ALL PARTIES, AND ATTORNEYS OF RECORD:*

2 PLEASE TAKE NOTICE that Defendant-Counterclaimant, Peter Menzel, respectfully
3 requests that the Court continue the deadline to re-open this action by 30 days.

4 The Court issued an Order of Dismissal Upon Settlement (Dkt. No 45) on November
5 15, 2019 dismissing this action with prejudice and allowing either party to re-open the action by
6 notice within sixty days of that date (i.e. by January 14, 2020).

7 On or around December 6, 2019, Plaintiff-Counterdefendant, Free Speech Systems,
8 LLC ("FSS") secured new counsel to review and finalize the settlement agreement reached in
9 this action. Menzel's counsel was advised of this change by FSS itself as well as its prior counsel
10 of record and newly retained counsel. FSS's new counsel has sought to keep FSS's continuing
11 costs down by avoiding making a formal appearance in this matter given the settlement
12 agreement reached between the parties.

13 With the assistance of FSS's new counsel, the parties have very recently finalized the
14 longform document memorializing their agreement. The parties are currently in the process of
15 executing the finalized agreement, and payment under the agreement is to be delivered on or
16 before February 7, 2020.

17 While neither party wishes to re-open this action, and both parties expect the final
18 agreement to be executed and settlement payment to be delivered in the coming weeks, in order
19 to ensure that settlement payment has been received before Mr. Menzel's opportunity to re-open
20 this action by notice lapses, Mr. Menzel respectfully requests that the deadline to re-open this
21 action be continued by 30 days – from January 14, 2020 to February 13, 2020.

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1 Counsel for FSS has confirmed that FSS will not oppose this request.
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3 Respectfully submitted,

4 DATED: January 13, 2020

5 By: /s/ Justin M. Gomes
6 Scott Alan Burroughs, Esq.
7 Justin M. Gomes, Esq.
8 DONIGER / BURROUGHS
9 Attorneys for Defendant and
10 Counterclaimant Peter Menzel
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FREE SPEECH SYSTEMS, LLC,
individually and doing business as
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company; and DOES 1-10,

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Case No.: 19-cv-00711-WHO

Hon. William H. Orrick Presiding

**ORDER GRANTING UNOPPOSED
REQUEST TO CONTINUE DEADLINE
TO RE-OPEN**

ORDER:

For good cause shown, the Court hereby orders the deadline to re-open this action be continued to February 13, 2020.

IT IS SO ORDERED.

DATED: January 14, 2020

By: _____

A handwritten signature in black ink, appearing to read 'W. H. Orrick', written over a horizontal line.

HON. WILLIAM H. ORRICK
United States District Judge